

U.S. Department of the Interior
Bureau of Land Management
Little Snake Field Office
455 Emerson Street
Craig, CO 81625-1129

ENVIRONMENTAL ASSESSMENT

EA NUMBER: DOI-BLM-CO-N010-2010-0095-EA

ALLOTMENT NUMBERS: 04120

PROJECT NAME: Temporary non-renewable (TNR) authorization of livestock grazing on the Willow Creek Allotment #04120.

LEGAL DESCRIPTION: See allotment map, Attachment #1

Willow Creek Allotment #04120

T10N R85W parts of Sec. 32
T9N R85W parts of Sec. 3-6

951 acres BLM

APPLICANT: Lessee

PLAN CONFORMANCE REVIEW: The Proposed Action and Alternatives are subject to the following plan:

Name of Plan: Little Snake Resource Management Plan and Record of Decision

Date Approved: April 26, 1989

Results: The Proposed Action is consistent with the Little Snake Resource Management Plan, Record of Decision, Livestock Grazing Management objective to improve range conditions for both wildlife and livestock through proper utilization of key forage plants and adjusting livestock stocking rates as a result of vegetation studies.

The Proposed Action is located within Management Unit 4, Eastern Foothills. The Proposed Action is compatible with the management objectives for this unit which are to provide for the development of oil, gas, and geothermal resources. Public land within this management unit with commercially valuable stands of lodgepole sawtimber or poles will be managed for those forest values. The Proposed Action would not conflict with the development or management of these resources.

The Proposed Action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM 1617.3).

NEED FOR PROPOSED ACTION: The U.S. Bureau of Land Management (BLM) has the authority to issue livestock grazing leases consistent with the provisions of the *Taylor Grazing Act*, *Public Rangelands Improvement Act*, *Federal Land Policy and Management Act*, and Little Snake Field Office's *Resource Management Plan/Environmental Impact Statement*, and 43 CFR 4130.6-2 *Nonrenewable grazing permits and leases*. This Plan/EIS has been amended by *Standards for Public Land Health in the State of Colorado*.

The following Environmental Assessment will analyze the impacts of livestock grazing on public land managed by the BLM. The analysis will recommend terms and conditions to the lease which improve or maintain public land health. The Proposed Action will be assessed for meeting land health standards.

The Proposed Action addresses an allotment that does not have grazing preference attached and is considered vacant. Grazing use on these allotments may be authorized on a temporary non-renewable basis under 43 CFR 4130.6-2 to qualified applicants as defined in 43 CFR 4110.1.

PUBLIC SCOPING PROCESS: The action in this EA is included in the NEPA log posted on the LSFO web site: http://www.blm.gov/co/st/en/BLM_Information/nepa/lsfo.html.

BACKGROUND:

The Willow Creek Allotment #04120 is located just south of Steamboat Lake. The allotment is in a high elevation montane meadow area with willows and shrubs dominating the vegetation. Perennial grasses, forbs and sagebrush are also prevalent within the plant community. The topography is relatively flat on the BLM parcels with some rolling hills. The Willow Creek drainage meanders through BLM parcels in this allotment.

This allotment has most recently been managed on a temporary, non-renewable basis. It has been grazed on an annual basis for at least 19 years (based on BLM billing records).

In the past ~15 years much of the area around this allotment has been subdivided into ~40 acre and smaller lots (down to 1-2 acres). This has resulted in a very mixed ownership pattern in the area. The location of the allotment in such a highly subdivided and recreational use area provides for a higher than average potential for conflicts to arise. Many of the landowners are absentee or part-time residents. Some of these lots have been developed with structures while a majority of them are currently vacant land. Some private landowners and homeowners groups lease the properties for grazing through private agreements. Fencing in the area is very limited and Willow Creek serves as a main water source. The portions of Willow Creek on BLM parcels are also used frequently for recreational fishing.

At this time the BLM Little Snake Field Office has not received any complaints or inquiries about livestock grazing in the area. Livestock grazing is common to the area and surrounding areas in the community are still in agriculture production. Livestock grazing is a traditional use in the area and

has existed prior to and during the subdivision of the properties in this area. Additionally, many of the private landowners and homeowners associations lease the private property for livestock grazing.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Proposed Action

This allotment would be authorized for livestock grazing use on a temporary, non-renewable basis under 43 CFR 4130.6-2. Use would be considered on a first come, first serve basis by existing permittees and lessees within the jurisdiction of the Little Snake Field Office (LSFO).

Grazing use would be authorized as follows:

Allotment	Livestock		Dates		%PL	AUMs
Name & Number	Number	Kind	Begin	End		
Willow Creek	116	C	07/01	10/31	100	469
04120					Unscheduled	<u>3</u>
					Total	472

No special terms and conditions.

The grazing lease would also be subject to the Standard and Common Terms and Conditions (Attachment #2).

Additionally, a fence would be constructed in the Willow Creek area east of Routt County Road 129 to create a riparian pasture (shown on map in attachment #1). The fence would be about 2.5 miles. Once built this pasture would be managed in a deferred rotation grazing system where in alternating years it would be used early (07/01 – 08/15) and then late (08/16 – 10/31) and rested during the remainder of the permitted use period. After fence construction the following special terms and conditions would apply:

Special Terms and Conditions:

1. The riparian pasture east of RCR 129 will be managed in a deferred rotation grazing system where in alternating years it is used early (07/01 – 08/15) and then late (08/16 – 10/31) and rested during the remainder of the permitted use period.

The proposed fenceline is in elk calving habitat. Construction standards for the fenceline would be designed to be conducive for cow elk and calves to move across the project as well as control livestock access. Considerations for flood prone area would also be a factor in fence design. Potential fence design may be a three wire high tensile fence with wood posts and anchors. Other similar designs may be considered at time of construction.

A buried telephone cable right-of-way is present within the proposed fence area. Potential damage to existing rights-of-way would be minimized by the following actions:

- Avoid existing rights-of-way during the project.
- Utilize the “One Call” system to locate and stake the centerline and limits of all underground facilities in the area prior to project initiation.
- Provide 48-hour notice to the owner/operator of all facilities prior to performing any work near existing rights-of-way.

Alternatives Considered but not Analyzed:

NEPA requires federal agencies to rigorously explore and evaluate all reasonable alternatives and to briefly discuss the reasons for eliminating any alternatives that were not developed in detail (40 CFR 1502.14). As also required by NEPA, the range of alternatives considered in detail includes only those alternative that would fulfill the purpose and need for the Proposed Action.

No Grazing Alternative

No livestock grazing would take place under this alternative.

This alternative is eliminated from detailed study because it does not meet the requirements of the Federal Land Policy and Management Act of 1976. When the RMP was approved, it was determined that livestock grazing was an appropriate use of this land. Eliminating grazing is not analyzed because no new issues or concerns have been identified that would require this action.

Administrative Action

The allotment boundary would be adjusted to include only the BLM parcels as shown on Attachment #1 (map). This action facilitates more efficient management of the parcels as a grazing allotment.

AFFECTED ENVIRONMENT/ENVIRONMENTAL CONSEQUENCES/MITIGATION MEASURES

CRITICAL RESOURCES

AIR QUALITY

Affected Environment: There are five federal Class I areas within 100 kilometers of the Little Snake Resource Management Area boundary, all of which occur in Colorado. There are no federal Class I areas in Utah or Wyoming within 100 km of the LS RMA boundary. There are no non-attainment areas nearby that would be affected by either alternative.

Environmental Consequences, Proposed Action: Activities associated with grazing that may affect air quality, namely dust and exhaust from ranch operation vehicles as well as dust from livestock hoof action, fall below EPA emission standards for the six criteria pollutants of concern (sulfur dioxide, nitrogen oxide, ground-level ozone, carbon monoxide, particulate matter [both PM_{2.5} and PM₁₀], and lead). Furthermore, ranch operation and livestock activities are not a significant source of these pollutant emissions that do occur in Moffat County. Impacts to air quality caused by either alternative are therefore considered negligible.

Mitigative Measures: None

Name of specialist and date: Emily Spencer, 6/1/10

Source: United States Environmental Protection Agency National Ambient Air Quality Standards:
<http://www.epa.gov/air/criteria.html>

AREA OF CRITICAL ENVIRONMENTAL CONCERN

Affected Environment: Not Present

Environmental Consequences, Proposed Action: Not Applicable

Mitigative Measures: Not Applicable

Name of specialist and date: Gina Robison, 6/1/10

CULTURAL RESOURCES

Affected Environment: Grazing authorizations are undertakings under Section 106 of the National Historic Preservation Act. During Section 106 review, a cultural resource assessment was completed for allotment #04120 on June 4, 2010 by Robyn Watkins Morris, Little Snake Field Office Archaeologist. The assessment followed the procedures and guidance outlined in the 1980 National Programmatic Agreement Regarding the Livestock Grazing and Range Improvement Program, IM-WO-99-039, IM-CO-99-007, IM-CO-99-019, and IM-CO-01-026. The results of the assessment are summarized in the table below. Copies of the cultural resource assessments are in the field office archaeology files.

Data developed here was taken from the cultural program project report files, site report files, and base maps kept at the Little Snake Field Office as well as from General Land Office (GLO) maps, BLM land patent records, An Overview of Prehistoric Cultural Resources Little Snake Resource Area, Northwestern Colorado, Bureau of Land Management Colorado, Cultural Resources Series, Number 20, and An Isolated Empire, A History of Northwestern Colorado, Bureau of Land Management Colorado, Cultural Resource Series, Number 2 and Appendix 21 of the Little Snake Resource Management Plan and Environmental Impact Statement, Draft February 1986, Bureau of Land Management, Craig, Colorado District, Little Snake Resource Area.

The table below is based on the allotment specific analysis developed for the allotment in this EA. The table shows known cultural resources, eligible and need data, and those that are anticipated to be in the allotment.

Allotment Number	Acres Surveyed at a Class III Level	Acres NOT Surveyed at a Class III Level	Percent of Allotment Inventoried at a Class III Level	Eligible or Need Data Sites- Known in Allotment	Estimated Sites for the Allotment *(total number)	Estimated Eligible or Need Data Sites in the Allotment (number)
04120	47	904 (951)	5%	0	25	7

(Note *Estimates of site densities are based on known inventory data. Estimates should be accepted as minimum figures which may be revised upwards based on future inventory findings.)

Five cultural resource inventories were conducted within the allotment resulting in the complete inventory of 47 acres and the recording of four cultural resources. One is a prehistoric isolated find, one is an historic isolated find, one is evidence of historic logging, and one is an historic habitation. The GLO plats were reviewed and there is evidence of a building, historic road, and “Willow Creek Placer sluice ditch” in T9N R85W Section 3. The building may be the historic habitation documented and the road appears to be the current highway.

Based on available data, a high potential for historic properties occurs in Section 3 of T9N R85W due to the historic activities with mining and logging. Subsequent field inventory is to be completed within ten years. The inventory will include:

1. Areas where livestock concentrate in sections 3-6 on BLM land should be inventoried.
2. In T9N R85W sec. 3, the historic ditch must be recorded if it exists.
3. The proposed fence must have a Class III survey prior to construction.

If historic properties are located during the subsequent field inventory, and BLM determines that grazing activities will adversely impact the properties, mitigation will be identified and implemented in consultation with the Colorado SHPO.

Environmental Consequences, Proposed Action: The direct impacts that occur where livestock concentrate, during normal livestock grazing activity, include trampling, chiseling, and churning of site soils, cultural features, and cultural artifacts, artifact breakage, and impacts from standing, leaning, and rubbing against historic structures, above-ground cultural features, and rock art. Indirect impacts include soil erosion, gullyng, and increased potential for unlawful collection and vandalism. Continued livestock use in these concentration areas may cause substantial ground disturbance and cause irreversible adverse effects to historic properties.

Standard Stipulations for cultural resources are included in Standard and Common Terms and Conditions (Attachment #2).

Soils and vegetation in this area are stable and would protect cultural resources except in areas where the creek bed may be impacted by livestock. The fence would protect known historic buildings and a ditch as well as the riparian area. Saltblock placement, which creates a concentration area, along roads or anywhere in the allotment would potentially impact historic properties if they are in proximity of the placement.

Mitigation Measures: None

Name of specialist and date: Robyn Watkins Morris, 6/4/10

ENVIRONMENTAL JUSTICE

Affected Environment: The proposed action is located in an area of isolated dwellings. Recreation and ranching are the primary economic activities.

Environmental Consequences, Proposed Action: The project area is relatively isolated from population centers, so no populations would be affected by physical or socioeconomic impacts of either alternative. Neither alternative would directly affect the social, cultural or economic well-being and health of Native American, minority or low-income populations.

Mitigative Measures: None

Name of specialist and date: Louise McMinn, 05/25/10

FLOOD PLAINS

Affected Environment: There are 100-year floodplains present on public lands within the allotment along Willow Creek, Red Creek, Beaver Creek, and an unnamed tributary to Red Creek. Flooding is the temporary inundation of an area caused by overflowing streams or by runoff from adjacent slopes. Water standing for short periods after rainfall or snowmelt is not considered flooding, and water standing in swamps and marshes is considered ponding rather than flooding. "Frequent" flooding (flooding that is likely to occur often under normal weather conditions; the chance of flooding is more than 50% in any year but is less than 50% in all months in any year) can be expected along all of the streams on BLM lands within the allotment.

Environmental Consequences, Proposed Action: Neither alternative includes development in floodplains. No threat to human safety, life, welfare and property would result from implementing either of the alternatives.

Mitigative Measures: None

Name of specialist and date: Emily Spencer, 6/1/10

Source: USDA-NRCS Soil Data Viewer version 5.2.0016: <http://soildataviewer.nrcs.usda.gov/>

INVASIVE, NONNATIVE SPECIES

Affected Environment: Invasive and noxious weeds are present in the affected area. Dalmatian toadflax, Canada thistle and other biennial thistles are in the surrounding landscape. These species are on List B of Colorado's noxious weeds. The BLM Little Snake Field Office cooperates with Routt County Pest Management program to employ the principals of Integrated Weed Management (IWM) to control noxious weeds on public lands.

Environmental Consequences, Proposed Action: Vehicular access to public lands for dispersed recreation, hunting, grazing operations, livestock and wildlife movement, as well as wind and water, can cause weeds to spread into new areas. Surface disturbance from livestock concentration and human activities associated with grazing operations can increase weed presence. The largest concern in the allotment would be for biennial and perennial noxious weeds to establish and not be detected. Once an infestation is detected it could be controlled with various IWM techniques. Land practices and land uses by the livestock operator and their weed control efforts and awareness would largely determine the identification and potential occurrence of weeds within the allotment.

The range improvement project included in this alternative provides an increased opportunity for noxious or invasive weed establishment. This potential is highest during the construction phase and the period of time following (1-2 yrs). Presence of annual weeds is likely to increase during this time. Existing healthy vegetation would be able to compete with these annual weeds. Awareness and inspection for weed presence by the permittee in the project area would be imperative to controlling invasive or noxious weeds.

Mitigative Measures: None

Name of specialist and date: Christina Rhyne, 5/20/2010

MIGRATORY BIRDS

Affected Environment: Plant communities on the Willow Creek Allotment are comprised of montane grass meadows and mixed mountain shrublands. Riparian habitats are also present in the allotment along Willow Creek and its tributaries. A variety of migratory birds may utilize this habitat during the nesting period (May through July) or during spring and fall migrations. Common birds likely utilizing the area include: dusky flycatcher, Swainson's thrush and orange-crowned warbler. The allotment also provides potential habitat for the willow flycatcher, a species listed on USFWS Birds of Conservation Concern List.

Environmental Consequences, Proposed Action: While livestock grazing can directly impact reproductive success of migratory birds by trampling of nests, it is more likely that it indirectly influences reproductive success due to changes in vegetation such as species composition, height or cover. The proposed action for the Willow Creek Allotment involves cattle grazing from 7/01 to 10/30 and would coincide with the latter part of the migratory bird nesting season. Although this schedule encompasses much of the growing season, the allotment does receive some rest

during the early spring and the stocking rate is relatively low. Terms and conditions which limit utilization levels to 50% on key grass species and to 40% on key browse species would help to prevent over-utilization in any given area. The allotment would also be grazed in conjunction with private land, which should help to distribute livestock and reduce concentration on public lands. Due to the above measures, grazing would not be expected to alter habitat conditions to the extent that reproduction or foraging would be greatly impacted.

The vegetative community is in good condition, providing suitable habitat for migratory bird species. These conditions are expected to continue under the grazing system described in the Proposed Action. Overall, the Proposed Action would be compatible with maintaining local migratory bird populations.

Mitigative Measures: None

Name of specialist and date: Desa Ausmus, 6/3/10

NATIVE AMERICAN RELIGIOUS CONCERNS

A letter was sent to the Eastern Shoshone, Uinta and Ouray Tribal Council, Southern Ute Tribal Council, Ute Mountain Ute Tribal Council on May 26, 2009. The letter listed the FY2010 projects that the BLM would notify them on and projects that would not require notification. A followup phone call was performed on July 26, 2009. No comments were received (Letter on file at the Little Snake Field Office). This project requires no additional notification.

Name of specialist and date: Robyn Watkins Morris, 6/4/10

PRIME & UNIQUE FARMLANDS

Affected Environment: No federally designated Prime and/or Unique Farmlands are present on public lands within the allotment.

Environmental Consequences, Proposed Action: None

Mitigation Measures: None

Name of specialist and date: Emily Spencer, 6/1/10

Source: USDA-NRCS Soil Data Viewer version 5.2.0016: <http://soildataviewer.nrcs.usda.gov/>

T&E SPECIES – ANIMALS

Affected Environment: There are no ESA listed or proposed species or BLM sensitive species that inhabit or derive important benefit from habitats within the allotment.

Environmental Consequences, Proposed Action: None

Mitigative Measures: None

Name of specialist and date: Desa Ausmus, 6/3/10

T&E AND SENSITIVE PLANTS

Affected Environment: There are no federally listed threatened or endangered or BLM sensitive plant species present on the allotment.

Environmental Consequences, Proposed Action: None

Mitigative Measures: None

Name of specialist and date: Hunter Seim, 5/25/10

WASTES, HAZARDOUS OR SOLID

Affected Environment: There are no solid or hazardous wastes present on the allotment.

Environmental Consequences, Proposed Action: There is the potential for the release of hazardous wastes in the form of vehicle fluids (oil, fuel, coolant) from equipment used during grazing management or range improvement construction or maintenance activities. The potential for releases of these materials is low and, if they were to occur, would be extremely limited with no adverse impacts to the allotment.

Mitigative Measures: None

Name of specialist and date: Christina Rhyne, 6/7/10

WATER QUALITY - GROUND

Affected Environment: The Browns Park sandstone formation contains a potable water aquifer with levels within 100 feet from the surface, as evidence of multiple water wells in the area.

Environmental Consequences, Proposed Action: Due to the limited amount of livestock grazing and dispersal of livestock over a relatively large area, there would be no impact to ground water quality by grazing on this allotment.

Mitigative Measures: None

Name of specialist and date: Marty O'Mara, 5/27/10

WATER QUALITY - SURFACE

Affected Environment: Surface runoff from the Willow Creek Allotment drains into Willow Creek, which is tributary to the Elk River. Water quality for the mainstem of the Elk River, including all tributaries and wetlands from the source to the confluence with the Yampa River, must support Aquatic Life Cold 1, Recreation E, Water Supply, and Agricultural uses. There are no water quality impairments or suspected water quality issues for waters influenced by the Willow Creek Allotment.

Environmental Consequences, Proposed Action: Surface waters present within the allotments are currently supporting classified uses. Permitting livestock grazing as proposed is consistent with land uses throughout the watershed and would not result in changes to water quality. The proposed grazing intensity would not compromise soil stability and vegetation community health given the relatively good condition of the vegetation within the allotments.

Mitigative Measures: None

Name of specialist and date: Emily Spencer, 6/1/10

Reference: Colorado Department of Public Health and Environment Water Quality Control Commission. 2010. Regulations #33, 37, and 93. <http://www.cdphe.state.co.us/regulations/wqccregs/index.html>

WETLANDS/RIPARIAN ZONES

Affected Environment: There are a total of four miles of streams and associated riparian habitats within the allotments. Three streams run through the allotment: Willow Creek (Reaches 1-3), Beaver Creek (Reach 1), and Red Creek (Reach 1). Both Beaver and Red Creeks drain into Willow Creek. Willow Creek reaches 1 and 2 and Red Creek were most recently assessed in 2007. Beaver Creek and Willow Creek reach 3 were most recently assessed in 1999 and 2000, respectively. All reaches are “functioning at risk” but in stable condition. No concerns regarding livestock use were identified in any of the assessments. There are no identified springs or wetlands on BLM-administered lands within the allotment

Environmental Consequences, Proposed Action: The proposed riparian pasture would fence off most of Willow Creek Reach 1 and all of Beaver Creek Reach 1. Although these reaches are in relatively good condition without being fenced, having the flexibility to move livestock in or out of the area when needed would allow for improved adaptive management and may result in overall riparian condition improvement. Care should be taken to locate the proposed fence well outside of the active floodplain, which floods frequently.

Riparian vegetation in the allotment is vigorous and diverse along all reaches. The proposed summer – early fall alternate grazing period within the riparian pasture coincides with the grazing strategy of native herbivores, which use more productive, higher elevation sites (such as this) during the summer. Proposed livestock use is relatively light for the area as a whole when including private and U.S. Forest Service lands that would be used in conjunction with BLM-

administered lands. Impacts of the proposed action to riparian areas are considered negligible.

Mitigative Measures: None

Name of specialist and date: Emily Spencer, 6/2/10

WILD & SCENIC RIVERS

Affected Environment: Not Present

Environmental Consequences: Not Applicable

Mitigative Measures: Not Applicable

Name of specialist and date: Gina Robison, 6/1/10

WSAs, WILDERNESS CHARACTERISTICS

Affected Environment: Not Present

Environmental Consequences: Not Applicable

Mitigative Measures: Not Applicable

Name of specialist and date: Gina Robison, 6/1/10

NON-CRITICAL ELEMENTS

REALTY AUTHORIZATIONS

Affected Environment: The proposed fence project area contains a buried telephone cable right-of-way and other realty authorizations.

Environmental Consequences, Proposed Action: Existing buried facilities could be accidentally damaged during project activities. Impacts would be temporary until any damage is repaired.

Mitigative Measures: None

Name of specialist and date: Louise McMinn, 05/25/10

SOILS

Affected Environment: Table 1 below describes the major soil groups on BLM administered lands within the Willow Creek Allotment. Surface soil characteristics are stable with high

vegetation density, production, and diversity to help protect from accelerated erosion. There is little to no evidence of erosion in the form of gullies, pedestals, flow patterns, or compaction. Land capability classification for all (nonirrigated) soil types listed states that the soils within the allotments are suitable for grazing, though many require careful management. The main hazard for all of these soils is erosion (unless close-growing plant cover is maintained) and a very cold climate. One of the largest soils groups (MU AW, located along Willow Creek) shows that water in or on the soil can interfere with vegetation growth. Presence of biological soil crusts are not expected in the area.

Table 1. Soil Summary for the Willow Creek Allotment (#04120)

Soil Map Unit (MU) & Soil Name	Map Unit Setting	Description
MU AW Venable mucky loam, 0 to 3% slopes	<u>Elevation:</u> 6,400 to 9,200 feet <u>Mean annual precipitation:</u> 18-36" <u>Ecological Site:</u> Mountain Meadow	These drainageway soils are very poorly drained and frequently flooded. Permeability is high and available water capacity is moderate and the soil profile is often more than 80 inches deep to any restrictive features.
MU 109 Dorpat Loam, 3 to 20% slopes	<u>Elevation:</u> 7,300 to 9,500 feet <u>Mean annual precipitation:</u> 20-28" <u>Ecological Site:</u> none given	These sideslope soils are well drained with moderately high permeability and moderate available water capacity. The soil profile is typically up to 65 inches deep.
MU 68C Rabbitears loam, 3 to 12% slopes	<u>Elevation:</u> 6,800 to 7,900 feet <u>Mean annual precipitation:</u> 19-26" <u>Ecological Site:</u> Mountain Loam	These sideslope soils are well drained with moderately high permeability and high available water capacity. The soil profile is typically up to 60 inches deep.
MU 68D Rabbitears loam, 12 to 25% slopes	<u>Elevation:</u> 6,600 to 7,600 feet <u>Mean annual precipitation:</u> 19-24" <u>Ecological Site:</u> Mountain Loam	These sideslope soils are well drained with moderately high permeability and high available water capacity. The soil profile is typically up to 60 inches deep.
MU 2F Lintim loam, 25 to 65% slopes	<u>Elevation:</u> 6,700 to 8,800 feet <u>Mean annual precipitation:</u> 18-25" <u>Ecological Site:</u> Mountain Loam	These hillslope soils are well drained with moderately low to moderately high permeability and high available water capacity. The soil profile is typically up to 65 inches deep.
MU 49A Menbar, gravelly substratum, 0 to 3% slopes	<u>Elevation:</u> 6,900 to 8,400 feet <u>Mean annual precipitation:</u> 20-30" <u>Ecological Site:</u> Mountain Meadow	These floodplain soils are somewhat poorly drained with moderately high to high permeability and moderate available water capacity. The soil profile is typically up to 60 inches deep.

Environmental Consequences, Proposed Action: Most soils within the BLM-administered portions of the allotment are loam dominated. In general, light to moderate stocking in the latter part of the wet season is recommended so that soil structure and surface hydrology (i.e. porosity/permeability) are maintained. The proposed stocking rate and grazing period supports

this recommendation. Given the good condition of the vegetation within the allotment and the relatively low number of proposed AUMs/acre it is expected that the proposed action would maintain sufficient plant cover to both protect the soil surface from wind and water erosion and allow the plant community to continue to produce litter in sufficient amounts to maintain litter and sustain appropriate water permeability.

Mitigative Measures: None

Name of specialist and date: Emily Spencer, 6/2/10

UPLAND VEGETATION

Affected Environment: The allotment is in a high elevation montane meadow area with willows and shrubs dominating the vegetation. Perennial grasses and forbs and some sagebrush are also prevalent within the plant community. Species include cinquefoil, snowberry, mountain sagebrush, lupine, yarrow, vetches, mule-ears, yampah, milkvetch, Sandberg bluegrass, Kentucky bluegrass, Timothy, and Letterman's needlegrass. Plant density, diversity and production are high. The key species are appropriate for the site and the plant community is adequate to provide resilience from human activities.

Environmental Consequences, Proposed Action: Livestock grazing as proposed would not negatively affect the upland vegetation community. The BLM parcels included in this allotment are part of a larger grazing management system that includes adjacent private leases and a Forest Service grazing permit. Therefore use on these parcels would be intermittent during the authorized period. The health and production of the plant community would provide resilience to livestock grazing as well. Additionally, the construction of the Willow Creek riparian pasture fence would provide some deferment in the management of the upland vegetation within that area.

Mitigative Measures: None

Name of specialist and date: Christina Rhyne, 6/7/10

WILDLIFE, AQUATIC

Affected Environment: Riparian habitats associated with Willow Creek and its tributaries provide potential habitat for small amphibians and other aquatic wildlife.

Environmental Consequences, Proposed Action: The grazing system described in the Proposed Action would incorporate a deferred rotation grazing system in the riparian pasture. This would help to ensure healthy riparian conditions and minimize any potential impacts to aquatic wildlife. Data from allotment visits showed aquatic wildlife habitats to be in good condition, providing suitable and productive habitat for aquatic wildlife. These conditions are expected to continue under the grazing system described in the Proposed Action.

Mitigative Measures: None

Name of specialist and date: Desa Ausmus, 6/3/10

WILDLIFE, TERRESTRIAL

Affected Environment: Plant communities on the Willow Creek Allotment are comprised of montane grass meadows and mixed mountain shrublands. Riparian habitats are also present in the allotment along Willow Creek and its tributaries. These communities typically provide habitat for big game species as well as small mammals, reptiles and birds. The allotment is classified as an elk calving area.

Environmental Consequences, Proposed Action: The Proposed Action for the Willow Creek Allotment involves cattle grazing from 7/01 to 10/30. Although this schedule encompasses much of the growing season, the allotment does receive some rest during the early spring and the stocking rate is relatively low. The allotment would also be grazed in conjunction with private land, which would help to distribute livestock and reduce concentration on public lands. During an allotment visit in 2008, the vegetative community was in good condition, providing suitable and productive habitat for a variety of terrestrial wildlife species. These conditions are expected to continue under the grazing system described in the Proposed Action.

Fences have potential to result in mortality of big game species as elk and mule deer can become entangled in fence wires during crossing. The fence would be constructed with a wildlife friendly design (e.g. smooth bottom wire, three strands) and this would help to reduce entanglements and allow for wildlife to cross under or over the fence.

Overall, the Proposed Action would have minimal impacts to terrestrial wildlife species. The proposed grazing system would be compatible with maintaining suitable and productive habitat for a variety of wildlife species.

Mitigative Measures: None

Name of specialist and date: Desa Ausmus, 6/3/10

OTHER NON-CRITICAL ELEMENTS: For the following elements, those brought forward for analysis will be formatted as shown above.

Non-Critical Element	NA or Not Present	Applicable or Present, No Impact	Applicable & Present and Brought Forward for Analysis
Fluid Minerals	EO 5/27/10		
Forest Management	CR 5/20/10		
Hydrology/Ground		ELS 6/2/10	
Hydrology/Surface		ELS 6/2/10	
Paleontology		EO 5/27/10	
Range Management		CR 5/20/10	
Realty Authorizations			LM 5/25/10
Recreation/Travel Mgmt		GMR 6/1/10	
Socio-Economics		LM 5/25/10	
Solid Minerals		JAM 6/3/10	
Visual Resources		GMR 6/1/10	
Wild Horse & Burro Mgmt	CR 5/20/10		

CUMULATIVE IMPACTS SUMMARY: This allotment and areas surrounding have historically been grazed by both sheep and cattle. Numerous maintained and unmaintained roads exist throughout the area. These roads are used regularly by local residents and ranchers as well as recreation users in the area. Wildlife populations in the area are high. The primary impacts from all of these activities are most immediately seen in the presence of roads, cultivation on private lands, weed presence and extensive subdividing and development of land parcels. The Proposed Action to graze livestock on this allotment is compatible with other uses, both historic and present, and would not add any new or detrimental impacts to those that are already present.

STANDARDS

PLANT AND ANIMAL COMMUNITY (animal) STANDARD: The Willow Creek Allotment provides habitat for a variety of wildlife species. Habitats on the allotment are in good condition and are meeting all Land Health Standards. Standards would continue to be met under the Proposed Action.

Name of specialist and date: Desa Ausmus, 6/3/10

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (animal) STANDARD: The Willow Creek Allotment does not provide habitat for any T&E or BLM sensitive species. Therefore, this standard does not apply.

Name of specialist and date: Desa Ausmus, 6/3/10

PLANT AND ANIMAL COMMUNITY (plant) STANDARD: The plant community within

this allotment is productive, healthy and diverse. The density and production of the key species is appropriate and adequate to provide resilience from human activities. This standard is currently being met and would continue to be met under the Proposed Action.

Name of specialist and date: Christina Rhyne, 6/7/10

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (plant)

STANDARD: There are no federally listed threatened or endangered or BLM sensitive plant species present on the allotment. This standard does not apply.

Name of specialist and date: Hunter Seim, 5/25/10

RIPARIAN SYSTEMS STANDARD: This standard is currently being met. The four miles of streams and associated riparian habitat are in stable condition with no identified issues of concern. The proposed fence would create a riparian pasture along Willow and Beaver Creeks that could provide the flexibility to move livestock in or out of the area when needed, potentially leading to overall riparian condition improvement. This standard would continue to be met under the Proposed Action.

Name of specialist and date: Emily Spencer, 6/2/10

WATER QUALITY STANDARD: All water quality standards are currently being met and there are no water quality impairments or suspected water quality issues for waters influenced by the Willow Creek Allotment. Permitting livestock grazing on this allotment as proposed is consistent with land uses throughout the Willow Creek/ Elk Creek watershed and would not result in changes to this standard. The Proposed Action would meet this standard.

Name of specialist and date: Emily Spencer, 6/2/10

UPLAND SOILS STANDARD: This standard is currently being met. The soils on this allotment are stable and are supporting a vigorous and diverse plant community with high cover. The loamy soils are generally deep and well drained. Grazing as proposed would allow the plant community to continue to provide adequate cover and organic material production necessary to maintain the continued stability of the soils. The Proposed Action would meet this standard.

Name of specialist and date: Emily Spencer, 6/2/10

PERSONS/AGENCIES CONSULTED: Uintah and Ouray Tribal Council, Colorado Native American Commission, Colorado State Historic Preservation Office, Chew Livestock Inc.

ATTACHMENTS: Attachment #1 – Map
Attachment #2 – Standard Terms and Conditions

SIGNATURE OF PREPARER:

DATE SIGNED:

SIGNATURE OF ENVIRONMENTAL REVIEWER:

DATE SIGNED:

Finding of No Significant Impact

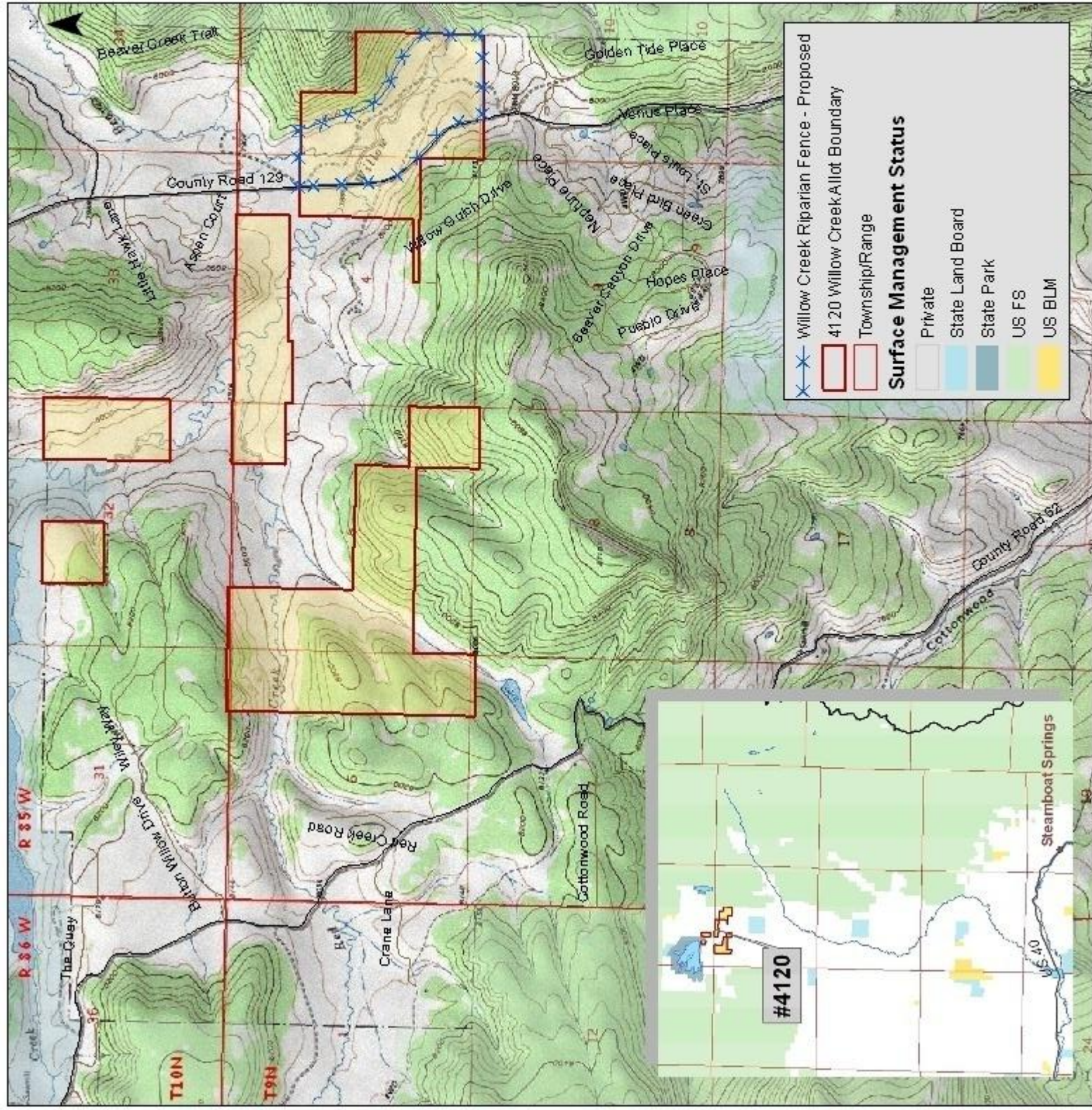
The environmental assessment, analyzing the environmental effects of the proposed action, has been reviewed. With the implementation of the attached mitigation measures there is a finding of no significant impact on the human environment. Therefore, an environmental impact statement is not necessary to further analyze the environmental effects of the proposed action.

1. Beneficial, adverse, direct, indirect, and cumulative environmental impacts have been disclosed in the EA. Analysis indicated no significant impacts on society as a whole, the affected region, the affected interests or the locality. The physical and biological effects are limited to the Little Snake Resource Area and adjacent land.
2. Public health and safety would not be adversely impacted. There are no known or anticipated concerns with project waste or hazardous materials.
3. There would be no adverse impacts to regional or local air quality, prime or unique farmlands, known paleontological resources on public land within the area, wetlands, floodplain, areas with unique characteristics, ecologically critical areas or designated Areas of Critical Environmental Concern.
4. There are no highly controversial effects on the environment.
5. There are no effects that are highly uncertain or involve unique or unknown risk. Sufficient information on risk is available based on information in the EA and other past actions of a similar nature.
6. This alternative does not set a precedent for other actions that may be implemented in the future to meet the goals and objectives of adopted Federal, State or local natural resource related plans, policies or programs.
7. No cumulative impacts related to other actions that would have a significant adverse impact were identified or are anticipated.
8. Based on previous and ongoing cultural surveys, and through mitigation by avoidance, no adverse impacts to cultural resources were identified or anticipated. There are no known American Indian religious concerns or persons or groups who might be disproportionately and adversely affected as anticipated by the Environmental Justice Policy.
9. No adverse impacts to any threatened or endangered species or their habitat that was determined to be critical under the Endangered Species Act were identified. If, at a future time, there could be the potential for adverse impacts, treatments would be modified or mitigated not to have an adverse effect or new analysis would be conducted.
10. This alternative is in compliance with relevant Federal, State, and local laws, regulations, and requirements for the protection of the environment.

SIGNATURE OF AUTHORIZED OFFICIAL:

DATE SIGNED:

Allotment #4120 Willow Creek



ATTACHMENT #2
DOI-BLM-CO-N010-2010-0095-EA
TERMS AND CONDITIONS

Standard Terms and Conditions

- 1) Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.
- 2) They are subject to cancellation, in whole or in part, at any time because of:
 - a. Noncompliance by the permittee/lessee with rules and regulations;
 - b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based;
 - c. A transfer of grazing preference by the permittee/lessee to another party;
 - d. A decrease in the lands administered by the Bureau of Land Management within the allotment(s) described;
 - e. Repeated willful unauthorized grazing use;
 - f. Loss of qualifications to hold a permit or lease.
- 3) They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans **MUST** be incorporated in permits and leases when completed.
- 4) Those holding permits or leases **MUST** own or control and be responsible for the management of livestock authorized to graze.
- 5) The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
- 6) The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
- 7) Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11246 of September 24, 1964, as amended. A copy of this order may be obtained from the authorized officer.
- 8) Livestock grazing use that is different from that authorized by a permit or lease **MUST** be applied for prior to the grazing period and **MUST** be filed with and approved by the authorized officer before grazing use can be made.
- 9) Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.

- 10) Grazing fee payments are due on the date specified on the billing notice and MUST be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of \$25 or 10 percent of the amount owed but not more than \$250) will be assessed.
- 11) No member of, or Delegate to, Congress or Resident Commissioner, after his/her election of appointment, or either before or after he/she has qualified, and during his/her continuance in office, and no officer, agent, or employee of the Department of Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise therefrom; and the provision of Section 3741 Revised Statute (41 U.S.C. 22), 18 U.S.C. Sections 431-433, and 43 CFR Part 7, enter into and form a part of a grazing permit or lease, so far as the same may be applicable.

Common Terms and Conditions

- A) Grazing use will not be authorized in excess of the amount of specified grazing use (AUM number) for each allotment. Numbers of livestock annually authorized in the allotment(s) may be more or less than the number listed on the permit/lease within the grazing use periods as long as the amount of specified grazing use is not exceeded.
- B) Unless there is a specific term and condition addressing utilization, the intensity of grazing use will insure that no more than 50% of the key grass species and 40% of the key browse species current years growth, by weight, is utilized at the end of the grazing season for winter allotments and the end of the growing season for allotments used during the growing season. Application of this term needs to recognize recurring livestock management that includes opportunity for regrowth, opportunity for spring growth prior to grazing, or growing season deferment.
- C) Failure to maintain range improvements to BLM standards in accordance with signed cooperative agreements and/or range improvement permits may result in the suspension of the annual grazing authorization, cancellation of the cooperative agreement or range improvement permit, and/or the eventual cancellation of this permit/lease.
- D) Storing or feeding supplemental forage on public lands other than salt or minerals must have prior approval. Forage to be fed or stored on public lands must be certified noxious weed-free. Salt and/or other mineral supplements shall be placed at least one-quarter mile from water sources or in such a manner as to promote even livestock distribution in the allotment or pasture.

- E) Pursuant to 43 CFR 10.4(g), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

The operator is responsible for informing all persons who are associated with the allotment operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are encountered or uncovered during any allotment activities or grazing activities, the operator is to immediately stop activities in the immediate vicinity and immediately contact the authorized officer. Within five working days the authorized officer will inform the operator as to:

- whether the materials appear eligible for the National Register of Historic Places;
- the mitigation measures the operator will likely have to undertake before the identified area can be used for grazing activities again.

If paleontological materials (fossils) are uncovered during allotment activities, the operator is to immediately stop activities that might further disturb such materials and contact the authorized officer. The operator and the authorized officer will consult and determine the best options for avoiding or mitigating paleontological site damage.

- F) No hazardous materials/hazardous or solid waste/trash shall be disposed of on public lands. If a release does occur, it shall immediately be reported to this office at (970) 826-5000.
- G) The permittee/lessee shall provide reasonable administrative access across private and leased lands to the BLM and its agents for the orderly management and protection of public lands.
- H) Application of a chemical or release of pathogens or insects on public lands must be approved by the authorized officer.

The terms and conditions of this lease may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.